IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM NO.59159-M of 2006
DATE OF DECISION.8.12.2006

Kuljit Kaur and another .....Petitioners

Versus

State of Punjab .....Respondent

CORAM HON'BLE MR. JUSTICE AJAI LAMBA

PRESENT Mr.Ritesh Pandey, Advocate
Mr.Eklavya Kumar, AAG, Punjab.

AJAI LAMBA , J(Oral)

This is a petition under Section 438 of the Code of Criminal Procedure for bail in a case lodged under Sections 447, 506, 379, 323 and 34 IPC.

Learned counsel appearing for the respondent / State on instructions from ASI Rajender Singh states that the petitioners have joined investigation and are not required for further investigation or custodial interrogation.

Other than the statement, facts disclose that civil litigation has been traded between both the sides. Matter relates to possession of property. Allegation is that the complainant Bachan Singh started raising a wall on his land and he was stopped by the petitioners side. The wall was demolished and theft of bricks and two buckets was committed.

Considering the facts and circumstances of the case as also the statement of the learned counsel for the respondent / State, the

petition is allowed. Order dated 26th September, 2006 is hereby made absolute and it is directed that in the event of arrest, the petitioners shall be enlarged on bail on furnishing of bail bonds to the satisfaction of the Arresting / Investigating Officer, subject to the following conditions:-

i) the petitioners shall make themselves available for interrogation as and when required;

ii) the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

iii) the petitioners shall not leave India without the previous permission of the court.

This order shall enure till 10 days after the petitioners receive a notice of filing of final report under Section 173 Cr.P.C , within which period the petitioners would be at liberty to apply for regular bail.

December 8,2006 **(AJAI LAMBA)**

mamta **JUDGE**